

PATENT
ATTORNEY DOCKET NO.: **056291-5246**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:) Confirmation No. **8786**
))
Jay Lal **MEHTA**))
))
Appln. No.: **10/573,353**) Group Art Unit: **1617**
))
Filed: **June 8, 2007**) Examiner: **Timothy E Betton**
))
FOR: **THERAPEUTIC TREATMENT**))
))
) Date: **March 7, 2011**

REQUEST FOR ACKNOWLEDGEMENT OF
CONSIDERATION OF PREVIOUSLY CITED DOCUMENTS

It is respectfully requested that the Examiner provide the undersigned with an initialled copy of the form PTO-1449 that accompanied the Supplemental Information Disclosure Statement that was previously and timely filed in this application on November 11, 2010, acknowledging consideration of the three documents cited therein.

A copy of this IDS and PTO-form 1449 downloaded from the PAIR database for this application is attached for the Examiner's convenience. Also attached is a printout of the Image File for this application in PAIR on which the undersigned has underlined the Transmittal Letter and IDS filed on November 11, 2010, and each of the three cited "Foreign References" that were filed on November 11, 2010. The undersigned has confirmed that a full PDF copy of each document is present in this database.

The undersigned has diligently sought to get the Examiner's acknowledgement of consideration of these three documents in three detailed telephone messages left with Examiner Betton on February 23, March 3 and again this day (March 7), 2011, in which the November 11, 2010 IDS and the presence of the three documents in PAIR was specifically noted. No call-back has been received with respect to any of these telephone messages. Therefore this formal written request is being made at this time, and the Examiner formal acknowledgment is respectfully requested..

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Director is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,
Morgan Lewis & Bockius LLP

Date: **March 7, 2011** By: /Donald Bird/
Morgan Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004 Tel. No.: (202) 739-5320
Tel. No.: 202-739-3000 Fax No.: (202) 739-3001
DJB:

PATENT
Attorney Docket No. **056291-5246**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Jay Lal MEHTA**) Confirmation No. **8786**
Application No.: **10/573,353**) Group Art Unit: **1627**
Filed: **June 8, 2007**) Examiner: **T. BETTON**
FOR: **THERAPEUTIC TREATMENT**) Date: **November 11, 2010**

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants request that the Examiner consider this Supplemental Information Disclosure Statement and the documents listed on the attached Form PTO-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this Information Disclosure Statement.

Copies of the documents listed on the attached Form PTO-1449 are attached. Applicants respectfully request that the Examiner initial and return the Form PTO-1449, indicating that the information has been considered and made of record herein.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully Submitted,
Morgan Lewis & Bockius LLP

Date: **November 11, 2010**
Morgan Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Tel. No.: 202-739-3000

By: /Donald Bird/
Donald J. Bird
Registration No. 25,323
Tel. No.: (202) 739-5320
Fax No.: (202) 739-3001